

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

VOIP-PAL.COM, INC.

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC.;  
CELLCO PARTNERSHIP d/b/a VERIZON  
WIRELESS;  
VERIZON SERVICES, CORP.; and  
VERIZON BUSINESS NETWORK  
SERVICES, INC.,

Defendants.

CIVIL ACTION NO. 6:21-cv-672-ADA

VOIP-PAL.COM, INC.

Plaintiff,

v.

T-MOBILE USA, INC.

Defendant.

CIVIL ACTION NO. 6:21-cv-674-ADA

**NOTICE OF CONFLICT WITH CURRENT TRIAL SETTING**

Defendants Verizon Communications, Inc., Cellco Partnership d/b/a Verizon Wireless, Verizon Services, Corp., and Verizon Business Network Services, Inc. (collectively “Verizon”) and Defendant T-Mobile USA, Inc. (“T-Mobile”) and respectfully notify the Court that counsel for Verizon and counsel for T-Mobile have pre-existing conflicts with the October 16, 2023, trial setting recently set by the Court in this matter. Dkt. No. 94.

Specifically, Verizon counsel Deron Dacus is currently set to begin a jury trial in 2:16-cv-695-RWS-RSP, Alacritech, Inc. v Dell Inc., USDC, Eastern District of Texas-Marshall Division and 2:22-cv-12-RWS-RSP, Dali Wireless, Inc. v AT&T Corp. et al, USDC, Eastern District of

Texas-Marshall Division on October 16, 2023. Further, Mr. Dacus is also set to begin a jury trial before this same Court in the United States District Court for the Western District of Texas, Waco Division on October 16, 2023, in 6:21-cv-331-ADA, IGT et al v Zynga Inc.

Specifically, T-Mobile counsel Melissa R. Smith is currently set to begin a jury trial in 2:16-cv-693-RWS-RSP, Alacritech, Inc. v. CenturyLink, USDC, Eastern District of Texas, Marshall Division, and 2:21-cv-00033-JRG, Evolved Wireless, LLC v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc, USDC, Eastern District of Texas, Marshall Division, on October 16, 2023.

If these prior conflicts remain as the new trial date approaches in this case, then Verizon and T-Mobile, understanding this Court's preference, plan to move for a continuance closer to the time of trial, unless otherwise directed by this Court. Verizon and T-Mobile provide this Notice to prevent the Court or the Parties from being surprised by these conflicts or a future request to continue the trial in this matter.

Dated: June 6, 2023

Respectfully submitted,

/s/ Melissa R. Smith

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/s/ Deron R. Dacus

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*Counsel for Defendants Verizon*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 6, 2023, I electronically filed the foregoing with the Clerk of Court *via* the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Deron R. Dacus  
Deron R. Dacus